

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

MICHAEL THOMPSON, #06271-088

PETITIONER

VERSUS

CIVIL ACTION NO. 5:09-cv-163-DCB-MTP

**BRUCE PEARSON AND
UNITED STATES DEPARTMENT OF JUSTICE**

RESPONDENTS

ORDER

This matter is before the court, sua sponte, to review the application for habeas corpus pursuant to 28 U.S.C. § 2241 filed October 8, 2009, by petitioner. The petitioner names Bruce Pearson and the United States Department of Justice as the respondents in this cause. A writ of habeas corpus is “directed to the person having custody of the person detained.” 28 U.S.C. § 2243. Thus, the only proper respondent in a habeas petition is the warden of the facility where the petitioner is incarcerated. Having reviewed the petition [1] and responses [3 & 5], it is hereby,

ORDERED AND ADJUDGED:

1. That the United States Department of Justice is dismissed with prejudice as a respondent in this cause.
2. That the respondent, Bruce Pearson, file an answer in this cause within 20 days of the service of a copy of this order.
3. That the United States District Clerk is hereby directed to issue summons to **Bruce Pearson**, Warden, FCC - Yazoo City, Post Office Box 5666, 2225 Haley Barbour Parkway, Yazoo City, Mississippi 39194.
4. That the United States District Clerk shall serve, *by certified mail*, a copy of the

summons, the petition filed herein and a copy of this order upon **Renee Yancey, Civil Process Clerk**, Office of the United States Attorney for the Southern District of Mississippi, 188 E. Capitol St., Suite 500, Jackson, Mississippi 39201; **Attorney General of the United States**, at 10th Street & Constitution Avenue, Washington, D.C. 20530; and **Bruce Pearson, FCC - Yazoo City**, Post Office Box 5666, 2225 Haley Barbour Parkway, Yazoo City, Mississippi 39194.

5. That the United States District Clerk shall also serve a copy of this order upon **petitioner** by mailing same to petitioner's last known address.

SO ORDERED, this the 9th day of February, 2010.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE